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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Twenty-eighth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 10th MEETING

Held at the Palais Wilson, Geneva,
on Friday, 3 May 2002, at 3 p.m.

Chairperson: Mr. ATANGANA
(Vice-Chairperson)

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS (agenda item 6) (continued)

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Initial report of Benin (continued) (E/1990/5/Add.48; E/C.12/Q/BEN/1; HRI/CORE/1/Add.85)

1. The CHAIRPERSON drew the Committee's attention to the written replies by the Government of Benin to the list of issues.

2. At the invitation of the Chairperson, Mr. Gnonlonfoun (Benin) resumed his place at the Committee table.

Articles 6-15 of the Covenant (continued)

3. The CHAIRPERSON invited the delegation of Benin to reply to the questions still pending from the previous meeting.

4. Mr. GNONLONFOUN (Benin) said that before 1990, there had been approximately 150 public or semi-public companies in Benin. Most of them had now been dismantled; consequently, the Government had considered it necessary to take action to address the ensuing problem of unemployment. For example, the World Bank and regional banks were supporting the creation of mutual funds and microcredit schemes, aimed particularly at helping young people to set up businesses. Approximately 20 public enterprises had been privatized; in those cases, the Government had endeavoured to encourage the profitability of the companies and help them retain as many jobs as possible.

5. As part of a privatization strategy, the Office of Post and Telecommunications (OPT) would be split into two entities. The Government had also agreed to private sector participation in the management of the electricity component of the Beninese Water and Electricity Company (SBEE). Local authorities would take over control of the water company.

6. With regard to child labour, he said that parents often sent their children to work as apprentices in craft industries after they had left school. However, both the Government and non-governmental organizations (NGOs) were supporting projects to provide such children with appropriate training. It would be impossible to implement a law prohibiting children from working in the fields with their parents; however, steps were being taken to ensure that agricultural labour did not affect their schooling and that they did not engage in any work that was beyond their physical capabilities.

7. The Guaranteed Minimum Inter-Occupational Wage (SMIG) was currently fixed at 25,000 CFA francs. A tripartite commission comprising representatives of the Government, employers and workers was currently engaged in negotiations to increase the minimum wage. Representatives of civil servants were given less freedom to negotiate salary demands.

8. Benin had not ratified all of the ILO conventions on social security because it was not in a position to meet the obligations established in those instruments. He recognized that the social security system in Benin was inadequate and hoped that the creation of mutual funds would help to improve the situation.

9. The Government had been working in partnership with the United Nations Children's Fund (UNICEF) and other organizations for many years to address the problem of trafficking of children. Some 279 local committees had already been established to address the issue and more were being created, particularly in border regions. Unfortunately, traffickers were constantly finding new ways to circumvent the measures put in place by the committees. In order to control the movement of children across borders, children were now required by law to be in possession of documents, signed by their village leader, mayor or sub-prefect, authorizing their movement. The Government was in the process of negotiating agreements with the Governments of Gabon, Nigeria and Côte d'Ivoire to facilitate the repatriation of any Beninese children found in those countries. There were approximately 30 centres in Benin that provided care for abandoned children.

10. The National Assembly was currently considering a new draft penal code which would provide for more severe penalties against perpetrators of violence against women, female genital mutilation and forced marriages. It would also address the issue of abortion. An individual and family code was also being discussed.

11. The Government had recently established a housing policy. On the basis of agreements between the Government, private partners and tenants, underprivileged people were being given the opportunity to rent or purchase subsidized housing. Details of health policy would be provided in the second periodic report. With regard to education, in 1991 the Government, with the support of its partners for development, had begun to reform the education system. The reform policy had been reviewed in 2001 and the results would be made available to the Committee.

12. The trafficking of works of art was a problem in Benin. Many works of art, considered by the United Nations Educational, Scientific and Cultural Organization (UNESCO) to be part of the common heritage of humanity, had been lost from Beninese museums. As a result the Government had introduced a policy to control the movement of works of art.

13. The Government would draw on the experience it had gained in preparing its initial report (E/1990/5/Add.48) and would include information on all of the above issues in its second periodic report.

14. Mr. TEXIER said it was regrettable that some of the specific questions put by the Committee remained unanswered. He expressed concern that the privatization of the electricity and water companies would have an adverse effect on the country's poor, many of whom already found it difficult to gain access to those services. He asked how the Government planned to ensure that the cost of water and electricity would not increase.

15. Mr. GNONLONFOUN (Benin) said that his Government was in a difficult situation. As Benin was so heavily dependent on foreign aid, when many of its partners in development,

including France, had urged the Government to launch a privatization programme, it had felt obliged to act accordingly, or risk losing aid. It was clear that the public sector was not profitable, and the Government desperately needed funds in order to create jobs and improve the situation of the poor. It was likely that the cost of electricity would increase, but the Government would adopt measures to ensure that the cost would not be prohibitive. The Government had, for example, fixed the price of beer for a certain period following the privatization of the Beninese brewery; and the privatized cement companies were required to seek the permission of the Government before raising prices. The management of the water company would gradually be handed over to the local authorities in order to prevent prohibitive price increases.

16. Mr. WIMER ZAMBRANO asked whether the Government had introduced an emergency plan to reduce disparities between the number of qualified graduates and the number of professional jobs available. Efforts should be made to ensure that human resources did not go to waste.

17. Mr. CEAUSU said that the Committee had engaged in discussions with the World Bank and the International Monetary Fund (IMF) to determine how best to ensure that economic, social and cultural rights were taken into consideration in the implementation of structural adjustment programmes. Looking back at more than a decade of restructuring, what was the delegation's assessment of structural adjustment? Would the country have been better off without such programmes, or were they required? How could the Government focus more on economic, social and cultural rights in structural adjustment programmes?

18. Mr. RIEDEL said that privatization was not necessarily an adverse factor in the provision of basic services, especially when public financing was not available. However, when privatization took place the State party still had the responsibility to ensure that such services were accessible and that the economic, social and cultural rights of the population, in particular of marginalized groups, were respected by private companies.

19. Mr. GRISSA said that the Committee had received reports that the enrolment rate in primary schools was under 60 per cent, and under 50 per cent for girls. According to UNESCO, in private schools enrolment of girls was half that of boys. Girls apparently either had to work for pay or had to accompany their mothers as traders. The concluding observations of the Committee on the Rights of the Child had indicated that girls were very disadvantaged and were denied access to education.

20. Mr. KOLOSOV expressed scepticism about the delegation's claims concerning the usefulness of work for the education and training of child labourers. He had seen the situation of child labourers in a large number of countries, including some countries neighbouring Benin. Such children were typically forced to work 12-hour days. They did not attend school, and were given food unfit for human consumption. Very often, they were sent to work to pay off their parents' debts. The health of such so-called apprentices was sometimes seriously impaired; for example, young people working as stone polishers in the jewellery industry could go blind by their mid-twenties. Children must go to school until the age of 14 or 15; jobs must be filled by those who were currently unemployed.

21. Did the Government have any methodology or mechanism with which to assess the impact of its reforms on the social situation of the population? If no such mechanism existed, the Government should call for technical assistance from the United Nations High Commissioner for Human Rights to help establish one. Privatization was sure to continue. At present, its consequences in the social sphere were unforeseeable and out of control.

22. Mr. GNONLONFOUN (Benin) said that Benin lost a great many skilled workers and professionals. Some 15 years earlier it had been estimated that there were as many Beninese doctors in the Paris region as in Benin itself. The Government had initiated a programme with the assistance of the International Organization for Migration (IOM) with a view to encouraging the return of at least some highly skilled personnel.

23. At the beginning of the structural adjustment process, the letter of intent originally sent by the Government to the World Bank and IMF had been rejected because the conditions it had set out were exceedingly favourable to Benin, and it had had to be renegotiated. More recently, with privatization, the Bretton Woods institutions had been more attentive to the social consequences of structural adjustment. The Government had thus refrained from dismissing large numbers of workers whose companies were being privatized. However, workers whose companies had gone bankrupt had lost their jobs.

24. Approximately 100 of the 150 or so public enterprises that had been established during the revolution had been liquidated, as they had been mismanaged. The Government's policy was aimed at reducing to the extent possible the negative effects of adjustment. It had therefore introduced compensatory measures for workers dismissed from the public sector, including loans for conversion and retraining. As a result of structural adjustment, the country was gaining knowledge in the field of economic management, but that knowledge came at a price. On the whole, the assessment of structural adjustment was not all negative, but Benin had been pushed too far to seek economic solutions at the expense of human and social factors.

25. The Government was making efforts to raise the enrolment rate of girls. According to the United Nations Development Programme (UNDP), the enrolment rate had risen from 33 per cent in 1991 to 61 per cent in 1999. Since 2001, the payment of tuition had been eliminated for girls in all parts of Benin except Cotonou, Porto Novo and Parakou. The Government had also decided to channel resources for education through school parents' associations in an attempt to make teachers more accountable to the local population and to reduce teacher absenteeism.

26. In conclusion, Benin was a small, poor country which by virtue of its location served as a crossroads, and had seen a relatively large influx of foreigners. It faced many problems, but the Government was making efforts to deal with them and was working to ensure a more democratic future.

27. The Committee had shown a spirit of constructive criticism, but the short time allotted for consideration of the initial report was insufficient to allow the Committee to gain a comprehensive understanding of the situation in the country. He therefore invited the Committee to send a mission to examine the situation more closely in the hope that it would thus be able to help the Government advance in the implementation of the rights guaranteed by the Covenant.

The public part of the meeting rose at 4.15 p.m.